



State of Ohio Environmental Protection Agency

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

Certified Mail

September 13, 2002

American Energy Corporation
Attn: Robert D. Moore, President
43521 Mayhugh Hill Road
Township Highway 88
Beallsville, Ohio 43716

I certify this to be a true and accurate copy of the
official document as filed in the records of the Ohio
Environmental Protection Agency.

By: Zona L. Clements Date: 9/13/02

Re: Belmont County / Wayne Township
Grant of Section 401 Water Quality Certification (Preferred Design Alternative)
Project to expand an existing valley fill coarse coal refuse disposal facility
Ohio EPA ID No.020724

Ladies and Gentlemen:

The Director of Ohio Environmental Protection Agency hereby authorizes the above referenced project under one or both of the following authorities.

Section 401 Water Quality Certification

Pursuant to Section 401 of the Federal Water Pollution Control Act, Public Law 95-217, the Director of Ohio Environmental Protection Agency hereby certifies that the above-referenced project will comply with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act.

Ohio Isolated Wetland Permit

Pursuant to Ohio Revised Code Chapter 6111 and Ohio Administrative Code Chapter 3745-1, and other applicable provisions of state law, the Director of Ohio Environmental Protection Agency hereby concludes that the above-referenced project will comply with the applicable provisions of Sections 6111.03 and 6111.04 of the Ohio Revised Code.

This authorization is specifically limited to a Section 401 Water Quality Certification and/or Ohio Isolated Wetlands permit with respect to water pollution and does not relieve the applicant of further certifications or Permits as may be necessary under the law. I have determined that a lowering of water quality in the Piney Creek watershed (05030106) as authorized by this certification/Ohio Isolated Wetlands Permit is necessary. I have made this determination based upon the consideration of all public comments, and including the technical, social, and economic considerations concerning this application and its impact on waters of the state.

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director